

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

1	UNITED STATES OF AMERICA,	)	
2		)	NO. 2:21-cr-00108-RSM
3		)	
4	Plaintiff,	)	
5	v.	)	ORDER APPOINTING RUSSELL M. AOKI
6		)	AS COORDINATING DISCOVERY
7	(1) CRESENCIO MORENO AGUIRRE,	)	ATTORNEY
8	(2) RAFAEL RAMIREZ,	)	
9	(3) SAMUEL DUARTE AVILA,	)	
10	(4) SERGIO REYES-PINA,	)	
11	(5) ELYAS MOHAMED KEROW,	)	
12	(6) DAVID WILLIAM ARMER,	)	
13	(7) BRETT DAVID RADCLIFF,	)	
14	(8) HERBERT DEAN SCOTT JR., and,	)	
15	(9) VIET PHI NGUYEN,	)	
16		)	
17	Defendants.	)	

It is hereby **ORDERED** that Russell M. Aoki is appointed as Coordinating  
Discovery Attorney for court-appointed defense counsel.

The Coordinating Discovery Attorney shall oversee any discovery issues common to  
all defendants. His responsibilities will include:

- Managing and, unless otherwise agreed upon with the Government, distributing discovery produced by the Government and relevant third-party information common to all defendants;
- Assessing the amount and type of case data to determine what types of technology should be evaluated and used so duplicative costs are avoided and the most efficient and cost-effective methods are identified;
- Acting as a liaison with federal prosecutors to ensure the timely and effective exchange of discovery;
- Identifying, evaluating, and engaging third-party vendors and other litigation support services;
- Assessing the needs of individual parties and further identifying any additional vendor support that may be required—including copying, scanning, forensic

1 imaging, data processing, data hosting, trial presentation, and other technology  
2 depending on the nature of the case;

- 3 • Identifying any additional human resources that may be needed by the individual  
4 parties for the organization and substantive review of information; and
- 5 • Providing training and support services to the defense teams as a group and  
6 individually.

7 When executing these responsibilities, the Coordinating Discovery Attorney shall  
8 assess the most effective and cost-efficient methods to organize the discovery with input  
9 from defense counsel.

10 The Coordinating Discovery Attorney's duties do not include providing  
11 representation services, and therefore will not be establishing an attorney-client relationship  
12 with any of the defendants. Discovery intended for counsel of a specific defendant and not  
13 to be shared among all defense counsel, shall be produced by the Government directly to  
14 defense counsel for that defendant. For discovery common to all defendants, discovery  
15 issues specific to any defendant shall be addressed by defense counsel directly with the  
16 Government and not through the Coordinating Discovery Attorney.

17 For any common discovery that has already been produced by the Government prior  
18 to this Order, the Government shall provide a copy to the Coordinating Discovery Attorney  
19 within 14 days. Any additional discovery not already produced shall be provided directly to  
20 the Coordinating Discovery Attorney, who shall duplicate and distribute the discovery to all  
21 defense counsel, unless the Government elects to produce discovery directly to defense  
22 counsel with a simultaneous copy to the Coordinating Discovery Attorney. The Government  
23 shall work with the Coordinating Discovery Attorney to provide discovery in a timely  
24 manner.  
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1 The Coordinating Discovery Attorney shall petition this Court, *ex parte*, for funds  
2 for outside services and shall monitor all vendor invoices for these services including  
3 confirming the work that was previously agreed to be performed. However, his time and the  
4 time spent by his staff will be paid by the Administrative Office of the U.S. Courts,  
5 Defender Services Office. All petitions for outside services shall include a basis for the  
6 requested funds and a determination that the costs of the services are reasonable.  
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8 The Coordinating Discovery Attorney shall also provide this Court with [monthly if  
9 web-hosted database solution is used / periodic if the solution is sortable spreadsheet or  
10 other desktop solution] *ex parte* status reports depicting the status of work and whether that  
11 work remains within the budget of any funds authorized by the Court, with the copy  
12 provided to defense counsel.  
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14 DATED this 26<sup>th</sup> day of July, 2021.  
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17 RICARDO S. MARTINEZ  
18 CHIEF UNITED STATES DISTRICT JUDGE  
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